

REMARKS

Claims 26-44 are now presented for examination. Claims 1-25 have now been canceled. Reconsideration of the application is requested.

The comments set forth by the Examiner in section 2 on page 2 of the Office Action were considered in making the claim amendments appearing above. It is respectfully submitted that each of new claims 26-44 complies with the requirements of 35 U.S.C. § 112, second paragraph.

Claims 26-44 are respectively similar to claims 1-19 as originally filed in this application. Certain editorial modifications are provided by way of the new claims. Each of new independent claims 26, 32, 38, and 44, moreover, specifies that the cold and warmer air layer zones defined therein are formed in a drive unit installation space.

Claims 2-6 and 20-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,025,878 to Preiss in view of U.S. Patent 6,662,892 to Falk et al. As far as this rejection may be considered applicable to any of new claims 26-44, reconsideration is requested.

The present invention operates to achieve two-zone temperature layering as discussed, for example, in specification paragraphs 0005-0006. The Preiss patent concerns an aerodynamically constructed cover part for the underside of a motor vehicle which is intended to provide sufficient cooling to drive unit or chassis parts disposed above the cover with reduced motor vehicle air resistance. The Falk et al. patent relates to air intake, through a cover part, which serves to cool an internal combustion engine. The Preiss and Falk et al. patent

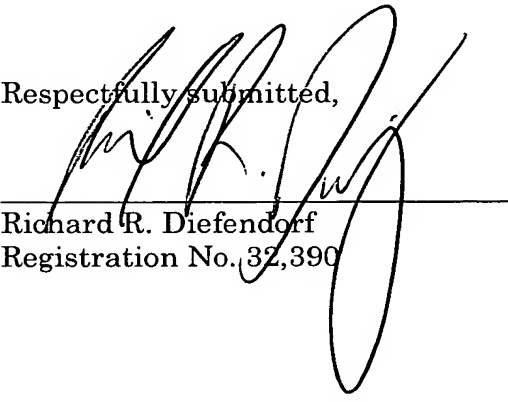
disclosures, taken as a whole, do not suggest the formation of separate cold and warmer air layer zones as each of new independent claims 26, 32, 38, and 44 defines, however, and it is submitted that each of these independent claims is patentable.

If there are any questions regarding this Reply or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an extension of time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #028987.53207US).

April 26, 2006

Respectfully submitted,


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